



RETIREE HANDBOOK

Rev. 3/2004

INTRODUCTION

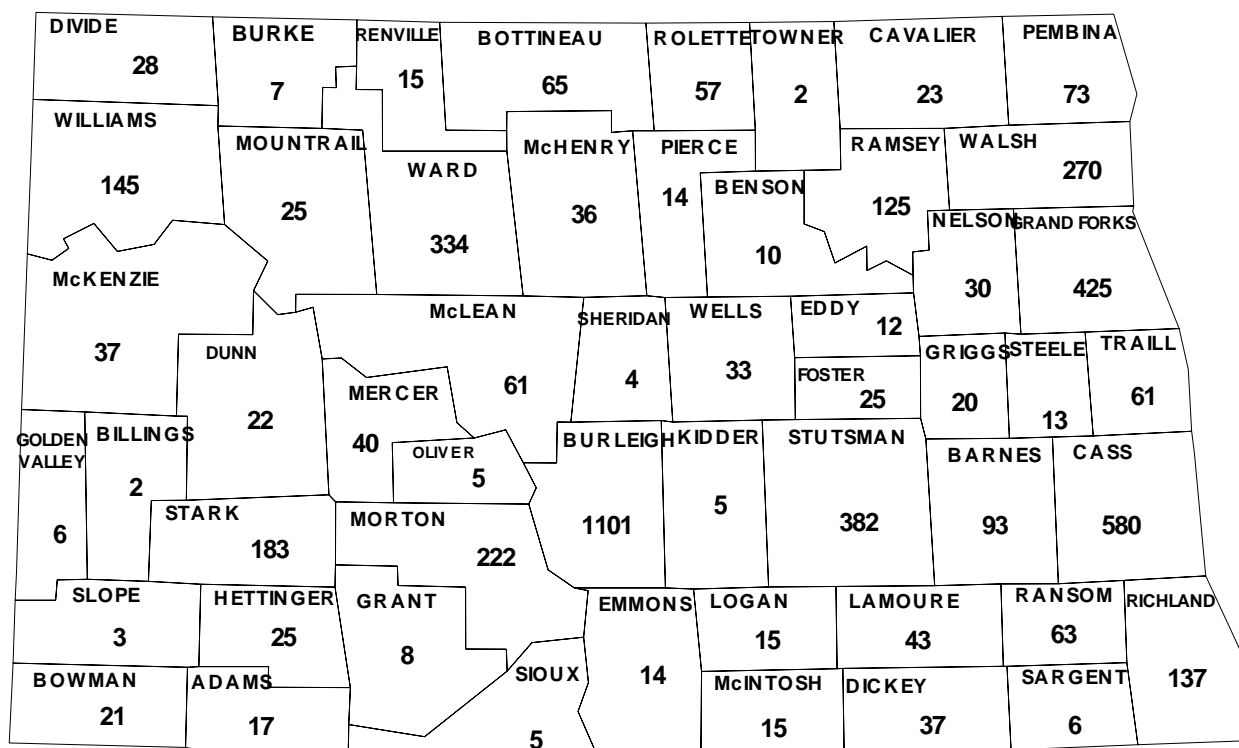
Information contained in this publication is intended to be general and does not offer a legal interpretation of retirement law. Statements contained in this publication do not supersede or restrict the authority granted by the North Dakota Century Code, Administrative Code, the Board of the North Dakota Public Employees Retirement System, and its agents.

Material in this publication is current as of the 2003 session of the North Dakota legislature. This information is subject both to changes made by the legislature and rules and regulations established by the Board of the North Dakota Public Employees Retirement System.

OUR RETIRED MEMBERSHIP

As of December 2003, approximately 5,756 retired members and beneficiaries were receiving monthly benefits from funds controlled by the NDPERS Board. Although some recipients reside outside the state, most remain in North Dakota, as you can see below.

NDPERS RETIREES DECEMBER 2003



OUT OF STATE - 756

TOTAL - 5,756

Based on the 2003 Actuarial Valuation:

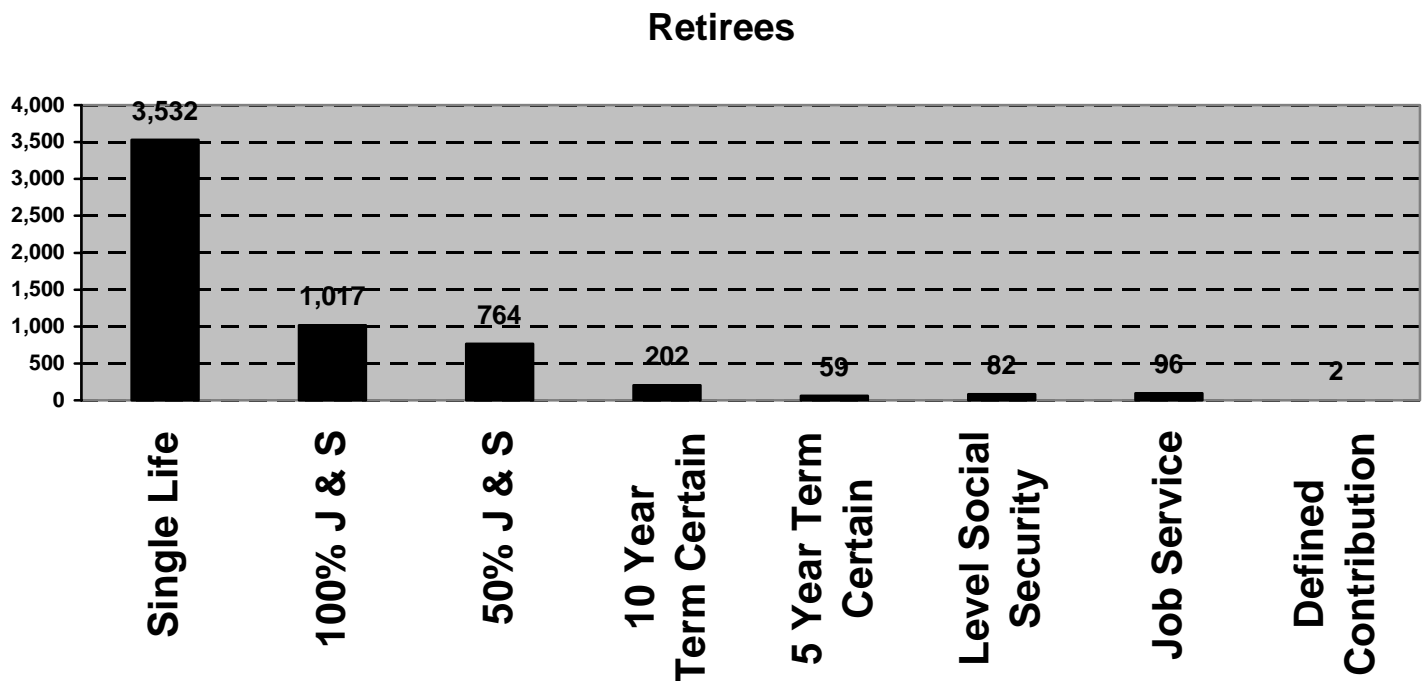
NDPERS

- Average Monthly Benefit - \$737
- Average Age - 71.7 years

Highway Patrol

- Average Monthly Benefit - \$2,036
- Average Age – 66.9 Years

The following provides a breakdown of options elected by all retired members as of December 2003:



YOUR MONTHLY BENEFIT

When you retired, you elected a retirement option under which to begin drawing your benefits. No matter which benefit option you selected, your pension will pay you for as long as you live. The benefit options differ in how they pay your beneficiary upon your death. The option selection you made upon retiring is irrevocable. The payment provisions are summarized below:

NDPERS, NATIONAL GUARD/LAW ENFORCEMENT

SINGLE LIFE RETIREMENT BENEFIT

There is no monthly income provision for beneficiaries under this option. Upon your death, your beneficiary (ies) will receive a lump sum payment of the remaining amount in your member account balance, if any.

There is no standard retiree health insurance credit available to surviving spouses under this payment provision; however, an alternate retiree health credit option is available to annuitants who began receiving benefits on or after May 1, 1997.

50% JOINT AND SURVIVOR

This option provides a lifetime benefit of 50% of your monthly benefit to your surviving spouse upon your death. In the event your spouse predeceases you, or in the event of a divorce, notify the NDPERS office immediately. Upon receipt of a certified copy of your spouse's death certificate, or a copy of the divorce decree, your monthly benefit will be adjusted back to your Single Life amount.

This option provides your surviving spouse with the opportunity to use your retiree health insurance credit, provided he or she is covered under the [NDPERS Dakota Plan or Dakota Retiree Plan](#).

100% JOINT AND SURVIVOR

This option provides a lifetime benefit of 100% of your monthly benefit to your surviving spouse upon your death. In the event your spouse predeceases you, or in the event of a divorce, notify the NDPERS office immediately. Upon receipt of a certified copy of your spouse's death certificate, or a copy of the divorce decree, your monthly benefit will be adjusted back to your Single Life amount.

This option provides your surviving spouse with the opportunity to use your retiree health insurance credit, provided he or she is covered under the [NDPERS Dakota Plan or Dakota Retiree Plan](#).

FIVE YEAR TERM CERTAIN

This option provides monthly payments to your beneficiary in the event you become deceased before receiving five years of benefits. Your beneficiary will receive the remainder of the five-year term of benefits. If you collect benefits longer than five years, there are no payments made to your beneficiary.

The standard retiree health insurance credit available to your surviving spouse under this option provides a benefit only for the period of time benefits are payable to your surviving spouse, if your spouse is covered under the [NDPERS Dakota or Dakota Retiree Plan](#). However, an alternate retiree health credit option became available to annuitants who began receiving benefits on or after May 1, 1997.

TEN YEAR TERM CERTAIN

This option provides monthly payments to your beneficiary in the event you become deceased before receiving at least ten years of benefit payments. Your beneficiary will receive the remainder of the ten-year term of benefits. If you collect benefits longer than ten years, there are no payments made to your beneficiary.

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SOCIAL SECURITY LEVEL INCOME OPTION (EXCLUDING DISABILITY)

There is no monthly income provision for your beneficiary(ies) under this option. Upon your death, your beneficiary(ies) will receive a lump sum payment of the remaining amount in your member account, if any.

There is no standard retiree health insurance credit available to surviving spouses under this payment option. However, an alternate retiree health credit option became available to annuitants who began receiving benefits on or after May 1, 1997.

JUDGES

NORMAL RETIREMENT BENEFIT

If you are married at the time of your death, your surviving spouse will continue to receive one-half of your normal retirement benefit for as long as your spouse lives. If you are single, there is no monthly income provision for your beneficiary under this option.

This option provides your surviving spouse with the opportunity to use your retiree health insurance credit, provided he or she is covered under the [NDPERS Dakota Plan or Dakota Retiree Plan](#).

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HIGHWAY PATROL

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POST-RETIREMENT BENEFIT INCREASES

Your retirement benefits are set by the legislature and do not provide an automatic cost of living adjustment (COLA). Historically, when the benefit multiplier has been increased by the legislature, a corresponding benefit increase for retirees has also been authorized. However, the legislature is not required to provide an increase for retirees. Therefore, it is to your benefit to actively participate in the legislative process and keep your legislators informed of your needs.

Any benefit increases granted become effective 90 days after the governor signs the bill, or August 1st, whichever date is later.

RECEIVING YOUR MONTHLY BENEFIT

With the exception of your first benefit check, your checks are mailed or direct deposited on the first **working** day of the month and is payment for that month.

Optional Withholding

You may elect to have a limited number of deductions **From Your Benefit Check** withheld from your retirement benefit check. These deductions are as follows:

- ◆ [ING Dental Insurance](#)
- ◆ [Amertas Vision Insurance](#)
- ◆ [NDPERS BCBS Dakota Plan Health Insurance](#)
- ◆ [NDPERS ING Life Insurance](#)
- ◆ [Federal Income Tax](#)
- ◆ [ND State Income Tax](#)
- ◆ Membership dues for ND retiree organizations:
 - [Association of Former Public Employees](#)
 - [North Dakota Public Employees Association](#)

You may elect to have any or all of the above deductions as long as your net benefit check is larger than \$10.00 after deductions. If benefit check is direct deposited into your bank account, your net benefit may be less than \$10.00. NDPERS group insurance premiums will be automatically deducted if your benefit is large enough.

To have membership dues deducted from your check, you must fill out an authorization form and submit it to the NDPERS office. You may obtain an authorization form by writing to one of the following addresses:

Association of Former Public Employees	North Dakota Public Employees Association
P.O. Box 1141 Bismarck, ND 58502 (701) 224-1815	3333 E. Broadway Ave., Suite 1220 Bismarck, ND 58501 (701) 223-1964 or 1-800-472-2698

DIRECT DEPOSITING YOUR BENEFIT

It is NDPERS' Board's policy that all annuity payments are required to be direct deposited. This method of transferring funds is safe, secure and used nationwide. You do not have to change your current bank relationship to take advantage of this service. It is available through all banks, credit unions, savings and loans facilities and most other financial institutions.

ADVANTAGES TO DIRECT DEPOSIT:

- * The money will be there on time each month.
- * Your worries about mail delays or stolen checks are over.
- * You'll avoid waiting in long bank lines to cash or deposit checks.
- * Your money will be deposited quicker – the first business day of each month, which allows you to access money more quickly than before.

To begin Direct Deposit, simply complete an ["Authorization for Direct Deposit for Annuity Payments SFN 18379"](#).

Return the form to the PERS office by the 14th of any month. Your Direct Deposit of PERS benefit payments will begin the first of the following month, unless an alternate effective date is requested.

To change financial institutions or change **ANY** account information, just complete an ["Authorization for Direct Deposit for Annuity Payments SFN 18379"](#).

Every three months NDPERS will send you a "quarterly statement of deductions". This statement gives you a record of all monthly deductions made from your benefit payment before deposit. It also provides convenient year-to-date totals of all deductions and benefit payments for your records.

Direct Deposit is safe, convenient and easy. Benefit payments are deposited electronically into YOUR bank account.

There are no service fees charged by PERS for this service. It's free! However, you may have to check with your bank for any possible fees.

RECEIVING YOUR BENEFIT BY MAIL

Checks are mailed out on the first **working** day of each month. Please present your endorsed checks promptly for payment. Though rare, sometimes members do not receive their monthly benefits checks due to unforeseen circumstances. NDPERS' experience has shown if you haven't received your check within the first few business days of the month, it has simply been delayed in the mail and should arrive shortly.

If you have not received your benefit check by the 10th of the month, call (701) 328-3900 or toll-free at 1-800-803-7377 and ask for the **Retirement Accountant** for assistance. A "stop payment" will be placed on your check and a new one will be issued after the 10th. Do not cash the original check. Should the original check arrive at your home after a "stop payment" has been ordered, please return it to the NDPERS office.

CHANGE OF ADDRESS

Address changes must be requested in writing and include your Social Security Number and signature. Address changes must be received by the 15th of the month to be effective for the next month's check. For your convenience, complete and return a "[Notice of Change SFN 10766](#)".

NOTIFICATION OF DEATH

Death of a Member

If you die while receiving benefits, the NDPERS' office must be notified immediately. A telephone call will initiate the appropriate process. Upon receiving notice, NDPERS will stop your benefit payments and contact your designated beneficiary (ies).

Death of a Member's Spouse

In the event you are drawing your monthly benefit or health insurance credit under the 100% or 50% Joint and Survivor Option and your spouse passes away, it is necessary to notify the NDPERS office. Please notify NDPERS of the death in writing, accompanied by a photocopy of your spouse's death certificate. Your Joint & Survivor benefit will be adjusted back to your Single Life benefit amount effective the month following receipt of the certificate of death.

DESIGNATION OF BENEFICIARY

At the time you retired, NDPERS staff requested that you update your designation of beneficiary. Please be sure to keep your designation up-to-date. If you are married and have designated someone other than or in addition to your spouse as your primary beneficiary, your spouse's written consent is required. If you are drawing your monthly benefit under the 100% or 50% Joint and Survivor Option, your primary beneficiary must be your legal spouse.

To update or change your designation of beneficiary, you must complete a "[Designation of Beneficiary for the Group Retirement Plan SFN 2560](#)".

TAXES AND YOUR RETIREMENT BENEFITS

The majority of your retirement income paid is reportable as taxable income for federal and state income tax purposes. If you retired after July 1, 1986, most likely a small portion of your benefit is non-taxable based on contributions you made to NDPERS while you were working.

When you retired you were provided with specific information regarding the taxability of your benefit. In most cases, once you have received the total amount of the contributions you paid in to NDPERS while you were working, your retirement benefit will become totally taxable.

While you were working, you received a W-2 form from your employer reporting your salary for that year. As a retired member, you will receive a 1099-R tax form from NDPERS to be used in preparing your income tax return. NDPERS will mail your 1099R form by the end of January of each year.

Whether you should have taxes withheld depends upon your financial situation. You have the option of having federal and North Dakota state income taxes withheld from your monthly benefit payment. [North Dakota state tax is currently 21% of your federal tax liability and payable if you reside in North Dakota. Only North Dakota state tax can be withheld.] At the time of your retirement, NDPERS had you complete a "[Form W-4P \(Substitute\) Tax Withholding Certification SFN 51506](#)". You may change your tax withholding election at any time, and as often as you wish; simply complete a new "[Form W-4P \(Substitute\) Tax Withholding Certification SFN 51506](#)". Changes in tax withholding must be received in the NDPERS office by the 20th of the month to be effective for the next month's benefit payment.

If you do not have federal income tax withheld from your benefit payment, you cannot have ND state income tax withheld. You can choose a specific dollar amount for federal withholding, but the ND state tax amount to be deducted is not flexible and will be 21% of federal tax being withheld, if elected. To elect a specific dollar amount, complete an "[Authorization for Withholding Federal Income Tax SFN 17628](#)". To elect ND state tax, complete an "[Authorization for Withholding North Dakota State Income Tax SFN 17629](#)".

Questions about the amount of taxes to withhold or the need for tax deduction should be directed to a professional tax consultant.

EARNINGS AFTER RETIREMENT

A retired member may receive a NDPERS or NDHPRS retirement benefit with no restrictions as long as he/she does not go back to work in "covered employment". Covered employment is working for a participating employer in a position as follows:

- ◆ Filling a permanent position that is regularly funded and not of limited duration.
- ◆ Working a minimum of 20 hours per week for 20 or more weeks of the year.
- ◆ Returning to work as a Highway Patrol

If you decide to go back to "covered employment" after you've retired and begin drawing benefits, please notify NDPERS prior to returning to work. Your monthly retirement benefits will be suspended until you retire again.

Upon retiring again, you may elect to have your additional service added to your past service credit and have your benefit recalculated. Or, you may take a refund of the additional contributions and resume your old retirement benefit.

Working and Receiving Social Security

Your NDPERS benefit does not count towards the earnings test. For information on Social Security Earnings Limits, please visit Social Security's website at <http://www.ssa.gov/>.

DISABILITY BENEFITS

Your eligibility to continue to receive disability benefits must be recertified 18 months after the date your first check is issued, if the medical consultant deems recertification is necessary.

Four (4) months prior to the 18 month payment anniversary date, you will receive an "Application for Recertification of Long Term Disability Benefits" and a "Recertification of Long Term Disability Attending Physician's Statement". These two forms are to be completed and returned to NDPERS.

Also as a part of the Recertification Process, you will be required to document any employment. (See Disability Return to Work Provisions).

If it is determined that you were not eligible for benefits during any time period when benefits were provided, the executive director may do all things necessary to recover the erroneously paid benefits.

Taxes and Your Disability Benefit

The NDPERS disability benefit is provided by your employer's contributions to the retirement system and is therefore 100% taxable before age 65. You may elect to have both federal and ND state income tax withheld from your disability payment. You will receive a 1099R tax statement at the end of each year, reporting the taxable income and any federal and/or ND income taxes withheld.

At age 65, your benefit is considered a retirement benefit is considered a retirement benefit for income tax purposes. A portion of your monthly benefit may non-taxable, based upon your contributions to your member account balance. An exclusion ratio will be computed to determine your non-taxable portion, if any.

According to IRS Regulation Section 1.72-15(c)(2), your member account balance will not be reduced before age 65. At age 65, your member account balance is reduced by the monthly benefit payments you receive.

Disability Return to Work Provisions

If you returned to NDPERS covered employment, your disability benefits will be suspended. If you return to work and your employment is not covered under NDPERS, the disability benefit may continue for up to nine (9) consecutive months.

You must notify NDPERS in writing if you return to work. Verification of employment will also be monitored through the recertification process.

YOUR RETIREE HEALTH INSURANCE CREDITS

If you are a member receiving a monthly retirement benefit from NDPERS, NDHPRS, or Job Service Retirement Plan and are participating in the [Dakota or Dakota Retiree Health Plan](#), your monthly premium will be reduced by the amount of retiree health insurance credit you have. **The retiree health credit cannot be used to reduce premiums for other health coverage provided through another employer group or independent policy, nor for vision, dental, long-term care insurance program premiums.**

This program provides you with up to \$4.50 for every year of retirement service credit, subject to reduction if you retired before attaining age 65 or meeting the Rule of 85 (Rule of 80 for the Highway Patrol Retirement System) or are receiving a disability benefit.

Your retiree health insurance credit will be applied automatically when you retire and participate in the Dakota or Dakota Retiree Plan. If a balance remains after your credit is applied to your health premium, it will either be deducted from your monthly benefit check, deducted from your bank account, or you will be sent a monthly bill.

[DURABLE POWER OF ATTORNEY](#)

Everyone, regardless of age, faces the possibility of being incapacitated. Planning for this possibility is very important to you and your family should you become unable to handle your own affairs.

A good step in planning is to have a current Durable Power of Attorney on file with NDPERS since the laws regarding Power of Attorney change from time to time. NDPERS has [Durable Power of Attorney](#) available for you to use. It has two distinguishing features:

It allows a NDPERS member or his/her beneficiary to designate an attorney-in-fact to handle retirement system affairs such as filing applications, making benefit elections, designating beneficiaries, and endorsing checks; and

It contains a durable clause which allows the attorney-in-fact to work on retirement system matters on the member's behalf in the event the member becomes incapacitated, disabled, or is unavailable.

A Power of Attorney that does not have a durable clause terminates upon a member's incapacity, and as a result of that termination, it may be necessary for NDPERS to withhold the member's NDPERS benefits until a conservator is appointed by the courts.

While it is preferred that members use [NDPERS' Durable Power of Attorney](#), because it contains a durable clause, NDPERS will also accept a General Power of Attorney without a durable clause. A General Power of Attorney or NDPERS' Durable Power of Attorney may be used for address changes, withholding tax elections, setting up direct deposit, or requesting information regarding benefit payments. However, NDPERS will only accept beneficiary designations or retirement option elections from representatives authorized to act under a Durable Power of Attorney.

In conclusion, having a Durable Power of Attorney on file at NDPERS assures that NDPERS will be able to handle your retirement benefits without interruption, and in accordance with your wishes, should you become unable to handle your own affairs.

RESOURCES AND REFERENCES

ORGANIZATIONS:



AARP, 3200 E. Carson St, Lakewood CA 90712; Web Site: aarp.org



Financial Planning Association, 3801 E. Florida Ave, Suite 708, Denver CO 80210-2544, 1-800-322-4237; Web Site: icfp.org



National Foundation for Consumer Credit, 8611 2nd Ave, Suite 100, Silver Spring, MD 20910, (301) 589-5600; Web Site: nfcc.org



Social Security Administration, 1-800-772-1213; Web Site: ssa.gov



Administration on Aging, U.S. Department of Health & Human Services; Web Site: aoa.dhns.gov



Pension & Welfare Benefit Administration, U.S. Department of Labor; (202) 219-8776



National Council of Senior Citizens, 8403 Colesville Rd, Suite 1200, Silver Spring, MD, 20910-3314; (302) 578-8800; Web Site: ncscinc.org



National Association of Area Agencies on Aging, 1112 16 St, NW Suite 100, Washington, DC 20036; 1-800-677-1116



Green Thumb, Inc., 2206 E Broadway Ave, Bismarck ND 58501-4930; (701) 258-8879



Health Insurance Association of America (HIAA), 1025 Connecticut Ave, NW, Washington, D.C. 20036-3988



Health Care Financing Administration (Medicare), 7500 Security Blvd., Baltimore, M.D. 2144; (410) 786-3000; Web Site: hcfa.gov



North Dakota Department of Insurance, 600 Boulevard Ave E, 5th Floor, Bismarck ND 58504-0300; 1-800-247-0560, (701) 328-2440; Web Site: state.nd.us/ndins.

PUBLICATIONS:



Senior Lifestyles. Bismarck: ADitude Cooperation; (701) 258-7630; Web Site: www.srlifestyles.com



Garner, Robert J. Ernst & Young's Personal Financial Planning Guide. New York: J. Wiley & Sons, 1995.



Sloane, Leonard, The New York Times Personal Finance Handbook. New York Times Books, New York 1995.



Lee, Alice & Fred, A Field Guide to Retirement. Doubleday, New York 1991.



Haynes, Marion E., From Work to Retirement: Making a Successful Transition.



Petras, Kathryn & Ross, The Only Retirement Guide You'll Ever Need: The Most Comprehensive Guide to Every Aspect of Retirement.



Caroline Bird, Second Careers: New Ways to Work After 50. Little, Brown, and Co, New York 1992.



Helen Hyman & Barbara Silverstone, Growing Older Together: A Couple's Guide to Understand and Coping with the Changes of Later Life. Pantheon, New York 1992.

LEGAL ISSUES:



Daly, Eugene J., Thy Will Be Done: A Guide to Wills, Estates, and Taxation for Older Persons. Buffalo, NY: Prometheus Books, 1990.



Myers, Teresa Schwab, How to Keep Control of Your Life After Sixty: A Guide for Your Legal, Medical, and Financial Well-Being. Lexington, MA 1989.



Sia Arnason, Ellen Rosezweiz, & Andrew Koski, The Legal Rights of the Elderly. Practicing Law Institute, New York 1995



Dennis Clifford, Michael Phillips, & Cora Jordon, Plan Your Estate: Absolutely Everything You Need to Protect Your Loved Ones. Nolo Press 1997

WEBSITES:



Social Security on-line. Request an estimate of future benefits, apply for new or replacement card, or get information on benefits programs.

ssa.gov



Life-Line. Find a glossary of insurance terms and an on-line calculator which figures life and disability insurance needs. www.life-line.org



Quicken Family Lawyer 7.0. Find 74 legally binding documents (wills, trusts, contracts, leases) to protect you and your family. Documents are customized by state and are valid in 49 states and D.C.

www.parsonstech.com



Metlife Consumer Education Center. www.metlife.com/lifeadvice



Investor Guide Classic. Contents information and links information on 401(k)s, IRAs, Social Security, Estate Planning, Calculators, etc.

www.investorguide.com/retirement



National Senior Citizens Law Center. Covers legal issues that “affect the security and welfare of older person of limited income”. www.nsclc.org



SeniorLink. Provides access to “eldercare” professionals, programs, and activities. www.senior.com



Senior Law Home Page. Helps older persons, families, attorneys, and financial planners to access information about “elder law”, Medicare, Medicaid, estate planning, trust, and the rights of the elderly and disabled.

www.seniorlaw.com



Health Care Financing Administration. A source for information about Medicare and Medicaid. www.hcfa.gov

HEALTH & NUTRITION:



Arthritis Foundation. www.arthritis.org



American College of Rheumatology. www.rheumatology.org



Health Finder – The Federal Government’s Gateway to Health & Medical Information. www.healthfinder.org



Nathan Billing, MD, Growing Older and Wiser. Lexington Books, New York 1993



Jane Porcina, Ph.D., Growing Older, Getting Better: A Handbook for the Second Half of Life. Continuum, New York 1991



American Heart Association & Americana Cancer Society, Living Well, Staying Well. Big Health Reward from Small Lifestyle Changes. TimeBooks/Random House, New York 1996



Isodor Rossman, M.D., Looking Forward. E.P. Dutton, New York 1999